

AMENDED IN SENATE JULY 1, 2008
AMENDED IN SENATE JUNE 18, 2008
AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2936

Introduced by Assembly Member Mullin

February 22, 2008

An act to amend Sections 17072.12 and 17074.26 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL’S DIGEST

AB 2936, as amended, Mullin. School facilities: site acquisition and development.

The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding and supplemental funding for site development and acquisition. The act requires the board annually to adjust the per-unhoused-pupil apportionment for new construction to reflect construction cost changes and for modernization to reflect inflation, as set forth in the statewide cost index for class B construction as determined by the board. Existing law authorizes the funding assistance for site *development and* acquisition in an amount that is the lesser of 50% of the site cost to the school district or 50% of the appraised value of the site within 6 months of the time the complete application is submitted.

This bill would, instead, require that, for purposes of determining the funding assistance for site *development and* acquisition, the appraised value of the site be the value within 6 months before the site is acquired.

The bill would make a technical correction in a provision of the Greene Act relating to annual adjustments in apportionments for modernization projects.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17072.12 of the Education Code is
2 amended to read:

3 17072.12. (a) In addition to the amount provided in Section
4 17072.10, the board may provide funding for assistance in site
5 development and acquisition if all of the following are met:

6 (1) The amount of the site acquisition and development
7 assistance does not exceed 50 percent of the cost of site
8 development to the school district, plus the lesser of the following:

9 (A) 50 percent of the site cost to the school district.

10 (B) 50 percent of the appraised value of the site within six
11 months before the site is acquired.

12 (2) The school district certifies that there is no alternative
13 available site, or that the district plans to sell an available site in
14 order to use the proceeds of the sale for the purchase of the new
15 site.

16 (b) Notwithstanding subdivision (a), the board may provide
17 funding for assistance in site development and acquisition to a
18 school district that uses land previously acquired by the school
19 district in an amount equal to 50 percent of the cost of site
20 development to the school district, plus 50 percent of the ~~site's~~
21 ~~appraised value at the time the application for site acquisition and~~
22 ~~development is submitted~~ *site cost to the school district or 50*
23 *percent of the appraised value of the property within six months*
24 *of its purchase, if available, whichever is less*, provided all of the
25 following are met:

26 (1) The site was acquired no less than five years prior to the
27 date the application is submitted.

1 (2) The site had been productively used by the school district
2 as other than a schoolsite for the five years immediately preceding
3 the date the application is submitted.

4 (3) The board determines that the nonschool function currently
5 taking place on the site must be discontinued or relocated in order
6 to utilize the site as a schoolsite.

7 (c) A school district that receives assistance pursuant to
8 subdivision (b) shall, within one year after the completion of the
9 project, certify in writing to the board that the nonschool function
10 was in fact relocated as set forth in paragraph (4) of subdivision
11 (b).

12 (d) Pursuant to subdivision (b), an applicant school district shall
13 include in its application to the board a cost-benefit analysis
14 performed by the school district demonstrating how utilizing
15 existing nonschoolsite district property pursuant to this section
16 would be a more effective method of solving the school district's
17 pupil housing problems than any other method of funding under
18 this chapter. The board shall review and approve the analysis if
19 the board agrees with the findings and shall consider the analysis
20 and findings in approving the project pursuant to this section.

21 SEC. 2. Section 17074.26 of the Education Code is amended
22 to read:

23 17074.26. The board shall adopt regulations to adjust the
24 per-pupil amounts set forth in Section 17074.10 for modernization
25 projects for school buildings that are 50 years old or older based
26 upon the higher costs associated with modernizing older buildings.